

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

Plaintiffs' pleadings in other cases previously pending in this Court,<sup>1</sup> the Court concludes that Plaintiffs' Complaint is due to be dismissed for insufficient service and for failure to state a claim. Further, because it does not appear that Plaintiffs' Complaint might state a claim, even if more carefully drafted, the Complaint is due to be dismissed with prejudice. See Jemison v. Mitchell, 380 F. App'x 904, 907 (11th Cir. 2010) ("Dismissal with prejudice is proper ... if a more carefully drafted complaint could not state a valid claim."). Therefore, for the reasons stated in the Motion to Dismiss and the accompanying brief, the Motion to Dismiss is due to be granted.

Based on the foregoing, the Court hereby **GRANTS** the Motion to Dismiss Plaintiffs' Complaint by Defendant The Bank of New York Mellon [Doc. No. 3] and **DENIES** Plaintiffs' "Secondary Motion for Enlargement of Time to Respond to the Defendant's Motion to Dismiss Plaintiff's [sic] Complaint" [Doc. No. 7].

SO ORDERED this 25th day of July, 2012.

s/ CLARENCE COOPER

CLARENCE COOPER  
SENIOR UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Bank of New York Mellon v. Edward Van Buren, Vicki Van Buren, No. 1:10-CV-1470-CC; Van Buren, et al. v. Bank of New York Mellon, No. 1:11-CV-1185-CC; Van Buren, et al. v. Bank of New York Mellon, No. 1:11-CV-4591-CC.